

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 21, 2001
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-53*)

Members: Henry P. Szymanski (*voting on items 1-53*)
Scott R. Winkler (*voting on items 28-34, 37-53*)
Catherine M. Doyle (*voting on items 1-44, 46-49, 51-53*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1-28, 34, 45, 48,50-53*)
Donald Jackson (*voting on items 1-47, 50*)

START TIME: 4:37 p.m.

End Time: 8:30 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	23567 Special Use	Bell Therapy, Inc. Ms. Tracy Oerter;Lessee Request to continue occupying the premises as a social service facility.	3355 W. Forest Home Av. 8th Dist.
Action:		Dismissed	
Motion:		Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
Vote:		4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	23579 Use Variance	Tarantino & Company, LLC Prospective Buyer Request to construct a senior housing campus on the premises, a portion of which lies within the flood plain. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	4143 S. 13th St. 13th Dist.
3	23607 Special Use	Chrysler Realty Corp. Andy Bucchiere;Property Owner Request to construct a 3000 sq. ft. addition on site and continue occupying the premises as a motor vehicle sales, repair and body bumping facility. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner complies with all previous conditions of the Board of Zoning Appeals relative to this special use. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	4640 S. 27th St. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	23619 Special Use	AM AB LLC M.K. Ali;Property Owner Request to occupy the premises as a gas station with a convenience store and car wash.	2011-23 S. Kinnickinnic Av. A/K/A 2011 S. Kinnickinnic 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the DCD and will be rescheduled at the next available hearing.	
5	23566 Dimensional Variance	John Altmann, Property Owner Request to construct a garage on the premises.	2929 S. Herman St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
6	23581 Dimensional Variance	Scott & Kristin Beckwith, Property Owner Request to construct a two-family dwelling on the premises.	2920-26 S. Ellen St. 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	23616 Dimensional Variance	Wayne Johnson, Property Owner Request to construct a garage on the premises.	3341-43 S. Ellen St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
8	23585 Special Use	Gerald R. Jonas Property Owner Request to continue occupying the premises as a light industrial facility with the addition of office space.	3939 W. Mc Kinley Av. A/K/A 4212 W. Highland Bl 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	23595 Dimensional Variance	Gus Maltezos, Property Owner Request to move a house to a vacant lot without the required setbacks.	6639 W. St. Paul Av. 16th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
10	23584 Dimensional Variance	Neighborhood Improvement Development Corporation Mike Morgan;Other Request to construct a single family dwelling on the premises without the required front setback.	2210 N. 15th St. 17th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

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11	23587 Special Use	Dykeman Properties L.L.C Prospective Buyer Request to occupy the premises as an indoor storage facility.	1726 W. Lloyd St. 17th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
12	23524 Special Use	Mustard Seed Child Care Center Titilola Salako; Lessee Request to occupy the premises as a day care center for 50 children, ages 6 wks. - 12 yrs., from 6 a.m. to 6 p.m.	7120 W. Fond du Lac Av. A/K/A 7108-20 W. Fond du Lac Ave. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled for the next available hearing.	
13	23613 Special Use	Marvin and Shawn Weaver, Lessee Request to occupy the premises as a day care center for 70 children, ages 6 wks. - 12 yrs., open 24 hrs.	7261 W. Appleton Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 p.m. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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14	23574 Special Use	McDonald's Corporation Mark Goetzinger;Prospective Buyer	7451-67 W. Appleton Av. 2nd Dist.
		Request to continue occupying the premises as a type 'B' restaurant and construct a parking lot to the Northwest of the facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are maintained.</p> <p>5. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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15	23577 Use Variance	Linda Tatro, Lessee Request to occupy the premises as a personal service facility (therapeutic massage).	3229 N. Newhall St. 3rd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	
16	23602 Special Use	Cream City Properties, LLC Allyson D. Nemec;Prospective Buyer Request to convert the primary building and lower level of coach house into commercial office space.	3112 W. Highland Bl. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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17	23536 Special Use	Kiddie Lane Infant Center Margaret Roberson/Michele Turner;Lessee Request to occupy the premises as a day care center for 68 children, ages 4 wks.- 12 yrs., from 6 a.m. to 9 p.m.	8715A-C W. Fond du Lac Av. A/K/A 8701-37 W. Fond du Lac Av. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy permit and complies with all State commercial code requirements for day care facilities.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 27, 2010.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	23593 Dimensional Variance	Richard Paul, Jr. & Christa Hamann Property Owner Request to construct a detached garage in the rear yard which exceeds the permitted lot coverage.	2923-25 N. 75th St. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
19	23575 Special Use	Young and Gifted Teaching Center Inc. Patricia Brown; Lessee Request to occupy a portion of the premises as a day care center for 30 children, ages 6 wks. - 13 yrs., from 6 a.m. to 12 a.m.	128 W. Burleigh St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 p.m. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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20	23588 Use Variance	Darlene Alexopoulos Prospective Buyer Request to occupy the premises as a bed & breakfast establishment with 6 rooms.	1809 N. 2nd St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
21	23485 Special Use	Deanny Hayes, Lessee Request to occupy the premises as a day care center for 40 children, ages 6 wks. - 12yrs., from 6:00 a.m. - 12:00 a.m.	5642 W. Appleton Av. A/K/A 5642-50 W. Appleton Ave. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided the parking area is paved prior to occupancy (permit required). 5. That the parking area is paved as required by City Ordinance. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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22	23594 Special Use	Jack Bins d/b/a Bins Garage; Lessee	5716 W. Burleigh St. 7th Dist.
		Request to occupy the premises as an auto repair and sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no work or storage of vehicles occurs in the public right of way. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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23	23596 Special Use	True Tabernacle Church of the First Born Archdeacon Grady E. Carson, Sr.;Property Owner Request to continue occupying the premises as a church.	2487 W. Fond du Lac Av. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	23426 Special Use	Royal Car Care Inc. Gordon H. Smith;Property Owner	2006-18 W. Oklahoma Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle service station (gas station & car wash) with convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a planter be installed between the car wash and the gas station to preclude vehicles from driving on, or otherwise encroaching into the sidewalk area, while allowing the free movement of vehicles between sites.</p> <p>5. That all previous conditions of the Board regarding this property are maintained.</p> <p>6. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	23580 Special Use	Council for the Spanish Speaking, Inc. Property Owner Request to occupy the premises as a day care center for 30 children, ages infant - 2yrs., from 7:00 a.m. to 5:30 p.m.	1648 S. 37th St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains an occupancy permit and complies with all State commercial code requirements for day care facilities. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
26	23586 Special Use	James Cape & Sons, Lessee Request to occupy a portion of the premises as a temporary contractors yard and concrete batch plant facility.	3330 W. Fond du Lac Av. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of six (6) months, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	23603 Special Use	Sam Toor, Property Owner Request to construct a car wash on the premises. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetely Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner complies with all conditions of the Board of Zoning Appeals decision # 20798 for the special use motor vehicle pumping station adjacent to the south. 5. That site illumination is controlled to prevent glare onto adjacent streets and residences. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	3551-61 N. Teutonia Av. 10th Dist.
28	23512 Special Use	Bhupinder S. Ghuman Prospective Buyer Request to occupy the premises as a motor vehicle pumping station with a convenience store. Action: Adjourned Motion: Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	1200 E. Howard Av. 14th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	23528 Use Variance	Ameritech Denise Waite, Right of Way MGR;Other Request to construct a telecommunications vault in the required side yard setback of the school.	3009 S. 10th St. A/K/A 1016 W. Oklahoma Ave. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

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30	23520 Special Use	Rabinder Khahra, Prospective Buyer Request to construct and occupy the premises as a motor vehicle pumping station with car wash and convenience store.	6321 N. 76th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage or display of product or merchandise. 5. That no outdoor banners will be displayed on the premises. 6. That site illumination is controlled to prevent glare onto adjacent streets and residences. 7. That signage is limited to a maximum of 100 square feet. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That the site is developed according to the revised site plan received by the Board of Zoning Appeals on May 10, 2001. 10. That the hours of operation for the entire facility shall be from 5 a.m. to 12 a.m. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	23481 Special Use	Allen Barian, Lessee Request to erect a two-sided drive through coffee kiosk on the southeast corner of the premises.	5804 W. Bluemound Rd. 16th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	23598 Special Use	Car Trek Adam Balenovich; Lessee Request to continue occupying the premises as a motor vehicle repair facility with the addition of motor vehicle sales.	2246 N. 44th St. 17th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, disabled vehicles, tires, junk or other debris. 5. That there are no outdoor banners displayed on the premises. 6. That no work or storage of vehicles occurs within the public right of way. 7. That total signage not exceed 40 square feet. 8. That there be no driving across the curb and sidewalk to access the premises. 9. That the dumpster be stored inside of the building. 10. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 11. That all repair work is done inside the building. 12. That no disabled or unlicensed vehicles or parts are to be stored outside. 13. That the applicant comply with all current or future compliance regulations and requirements of federal or state agencies and authorities. 14. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	23522 Special Use	E.M. Jones Child Care Center Eula M. Jones; Prospective Buyer Request to occupy the premises as a day care center for 96 children, ages 2 wks. - 12 yrs., from 6:15 a.m. to 12 a.m.	5200 N. 51st St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains an occupancy permit and complies with all State commercial code requirements for day care centers. 5. That landscaping and screening plans for the parking areas are submitted which meet the intent of s.295-75. 6. That signage is limited to a maximum of 50 square feet. 7. That the site is developed according to the revised site plan received by the Board of Zoning Appeals on June 14, 2001. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	23540 Use Variance	Mr. Stereo Ibrahim Mahmoud; Lessee	5040 W. Fond du Lac Av. 2nd Dist.
		Request to continue occupying the premises for the sale of stereo equipment and installations (electronic equipment and tires).	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all installation work is performed inside the building. 5. That there is no exterior storage of tires, auto parts, junk or debris. 6. That any testing of audio equipment and alarm systems must be conducted at minimum amplification and with the overhead garage doors closed. 7. That no additional signage may be erected on the site. 8. That a landscaping and screening plan is submitted and implemented which attempts to meet the intent of s 295-75. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 10. That no disabled or unlicensed vehicles or parts are to be stored outside. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	23601 Dimensional Variance	Sanford and Angela D'Amato Property Owner Request to construct a deck on the east side of the house.	1540 N. Jackson St. 3rd Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	23611 Special Use	Trocadero Michael Eitel;Prospective Buyer Request to continue occupying the premises as a tavern and to construct an outdoor seating area. Action: Granted 10 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage area does not exceed the area of the existing building signage. 5. That the proposed parking area is screened from the residential use to the east by means of a 6-foot high opaque wood fence. 6. That the proposed parking area is paved and the petitioner obtains a permit for a driveway onto East Pearson Street. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	1758 N. Water St. 3rd Dist.
37	23371 Special Use	Prime Outdoor Group, LLC Towne Realty, Inc. John Vebber;Lessee Request to construct an off-premise sign on the premises. Action: Denied Motion: Catherine Doyle moved to deny the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	606 W. Wisconsin Av. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	23560 Dimensional Variance	Milwaukee County Parks Lawrence Kenny, Associate Director;Property Owner Request to construct a parking lot in conjunction with proposed park pavilion.	2828 N. Humboldt Bl. A/K/A 1321 E. Locust St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	23568 Dimensional Variance	Merry Kyles, Property Owner Request to occupy the premises as an adult family home for four persons.	2902 N. 1st St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	23569 Special Use	Christina Mitchell Christina's Cozy Corner; Lessee	2749 N. Buffum St. 6th Dist.
		Request to occupy the premises as a day care center for 8 children, ages 6 weeks to 12 years, 3 shifts, 24 hours per day, Monday through Friday.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized after 8:00 p.m.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	23578 Dimensional Variance	Tonna Howard, Property Owner Request to occupy the premises as a Community Based Residential Facility (CBRF) for 8 clients.	2745-47 N. 40th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant provide a 24 hour contact number to the Board, the alderman and any resident who requests it.</p> <p>5. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	23452 Dimensional Variance	Glenn A. Denninger, Lessee Request to create a third dwelling unit in what was previously a storefront.	3600 W. Rogers St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That alteration and plumbing permits are obtained for the residential conversion. 5. That a conversion permit be obtained within 30 days of this signed decision. 6. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	23609 Special Use	<p>Graceland Community Church Clyde Hamer;Property Owner</p> <p>Request to continue occupying the premises as a church with the addition of a day care center for 60 children, ages 6 wks. - 12 yrs., from 6:00 a.m. to 6:30 p.m.</p>	6900 N. 43rd St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage is limited to a maximum of 50 sq. feet.</p> <p>5. The applicant obtains an occupancy permit and complies with all State commercial code requirements for a day care center.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	23515 Special Use	David J. Cunningham Day Development, LLC;Other Request to construct and occupy a portion of the premises as a motor vehicle pumping station with accessory retail.	6001A N. Teutonia Av. A/K/A 6001, 6033, 6043 N. Teutonia Ave. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the unused driveway is properly closed and restored with curb and gutter. 5. That landscaping and screening plans are modified to include fence and pillar detail and a landscaped pedestrian link with a concrete walkway between the building and the sidewalk along West Florist Avenue. Revised plans must be approved by the Planning Administration Section of the Department of City Development prior to the issuance of any permits. 6. That site illumination is controlled to prevent glare onto adjacent streets and residences. 7. That signage for the pylon sign is limited to a maximum of 100 square feet. 8. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	23541 Dimensional Variance	Home Living Services, Inc. Margaret Mims; Lessee Request to occupy the premises as an Adult Family Home for a maximum of three adults.	8417 N. Servite Dr. A/K/A 8417 N. Servite Dr., Apt. #102 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
46	23590 Rehearing Request	The House of God Church Property Owner Request to occupy the premises as a church.	4800 W. Fond du Lac Av. A/K/A 4800-18 W. Fond du Lac Av. 10th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes Henry Szymanski, Catherine Doyle & Donald Jackson, 1 Nay Scott Winkler, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	23533 Use Variance	Day Care Advocates of Milwaukee, Inc. Kimberly Hubbard; Lessee	3421 N. 35th St. 10th Dist.
		Request to occupy a portion of the premises as a social service facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no occupancy will be issued for use of the second floor until a second enclosed exit is installed under permit from the second floor to grade.</p> <p>5. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	23572 Special Use	Pass it on Club Inc. Kurt Vollbrecht; Property Owner	6229 W. Forest Home Av. 11th Dist.
		Request to continue occupying the premises as a recreational facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	
49	23531 Special Use	Thomas G. Ratas, Property Owner	8333-B W. Morgan Av. 11th Dist.
		Request to continue occupying the premises as a wholesale trade (liquor) facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	23553 Dimensional Variance	Sonja Nottelson /John Ross Property Owner Request to occupy the premises as an Adult Family Home.	2662 S. 69th St. A/K/A 2662-64 S. 69th St. 11th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	23526 Special Use	Eddy's-One Stop Electronics Eddy Rodriguez; Property Owner	1577 W. Greenfield Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (installation of electronic equipment) with the addition of tire sales and installation.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all installations are done inside the building. 5. There is no outdoor storage of tires, nuisance vehicles, auto parts, junk or other debris. 6. That the dumpster is not stored in the alley. 7. That no cars are parked in the alley. 8. That no work or storage of vehicles occurs within the public right of way. 9. That any testing of audio equipment and alarm systems be conducted at minimum amplification and with the overhead garage doors closed. 10. That any previous conditions regarding this property are complied with. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	23548 Special Use	Ruben Hernandez, Lessee Request to occupy the premises as an auto repair facility.	1823-25 S. Kinnickinnic Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	23510 Dimensional Variance	Mathew Talbot Center Sam Marjanov; Property Owner Request to construct a 50 bed Community Based Residential Facility on the premises (maximum live-in period of 90 days).	8771 W. Fond du Lac Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

Other Business:

Board member Szymanski moved to approve the minutes of the May 24, 2001 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for July 12, 2001.

Board member Szymanski moved to adjourn the meeting at 8:30 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board